

CONCORD CONSERVATION COMMISSION
MINUTES
Regular Meeting
June 9, 2010

City Council Chambers
41 Green Street, Concord, NH

Attendance:

Members present at the meeting included: Christopher Morgan; Jim Owers; Kristine Tardiff; Chris Kane; Tracey Boisvert; Rick Chormann; and Jeff Belanger. Doug Woodward, City Planner, and Rebecca Hebert, Planner, also attended the meeting.

C. Morgan, Chairman, called the meeting to order at 7:05.

1. Minutes: The group reviewed the minutes of the May meeting. K. Tardiff moved to accept the minutes of the May 12, 2010 meeting; T. Boisvert seconded the motion; motion passed unanimously and the minutes were adopted.

2. Wetlands Bureau:

Application for Minimum Impact Agricultural Project of Charles Souther at 580 Mountain Road – R. Hebert explained that Charles Souther is proposing to construct an irrigation pond at the orchard off of Mountain Road. He is currently withdrawing water from Hayward Brook and has been advised that the withdrawal is exceeding allowable limits and will not be permitted by DES in the future. The irrigation pond will impact a small area of wetlands. She also explained that the Conservation Commission does not need to sign the application; the agricultural applications are signed by the County Conservation District. The Commission discussed the application and agreed that the irrigation pond seemed like a reasonable solution for reducing the water withdrawal from Hayward Brook.

a. Correspondence - R. Hebert reviewed correspondence from the NHDES Wetlands Bureau.

3. Open Space:

a. Bartlett property off of Gully Hill Road – D. Woodward explained that the land was appraised in 2006, together with the adjacent agricultural properties. The Commission purchased the land owned by Keith Richards for the appraised value of \$99,000 in 2009, and purchased the property jointly owned by the Bartletts and Larrabees for \$56,000 for each half interest (\$112,000). Alan Bartlett explained that he would like the land value to be based on the price per tillable acre. He felt that the land would be worth approximately \$5,800 per tillable acre. He explained that in his mind, he would like to be compensated fairly for the tillable land, and the City can have the wetlands and bluffs at no cost. He would like an explanation as to why the value of agricultural parcels off of Gully Hill Road varied. The Commission agreed to have the property reappraised, and explained that they would not be able to pay more than the appraised value, whether that is higher or lower than the current appraised value. K. Tardiff moved to have a restricted use appraisal prepared for the Bartlett property off of Gully Hill Road. R. Chormann seconded the motion. All in favor; motion passed unanimously.

b. Conservation Easement from Susan Taylor off of Shaker Road -

The Commission reviewed the proposed easement from Susan Taylor for property off of Shaker Road. R. Hebert explained that the conservation easement is being conveyed as a requirement of the cluster subdivision. The subdivision involved dividing the property to create one additional residential building lot and would set aside 6.87 acres as open space. The easement follows the City's standard format with the exception of a reserved right allowing the grantor to post the land to restrict public access, and also includes language regarding the harvesting of timber for the land owner's personal use. The Commission suggested revising the language to limit the amount of wood that could be cut annually by the grantor to two cords of wood, and also to include language that hazardous trees may be removed at any time.

c. Tax deeded property southerly of Currier Road (parcel 98/2/1) – R.

Hebert explained that the City has taken by tax deed, the property off of Currier Road known as lot 98/2/1. The land contains 52.5 acres and also includes a portion of Ash Brook. The land was previously owned by Yves Tanguay, and was taken for back taxes. The land is in the vicinity of Dimond Hill Farm and the recently acquired property off of Currier Road. The Commission discussed access to the property, which may require a bridge over Ash Brook. The land also contains open fields.

d. Proposed revisions to the Emerald Abode Subdivision off of

Graham Road – R. Hebert provided an overview of the project. The subdivision was approved in 2004, but not recorded until 2006. The developer starting building the road, but then abandoned the project as the residential housing market declined. The road work did not constitute active and substantial development to meet the statutory requirement to vest the subdivision against changes to the zoning ordinance and land use regulations. The City Council adopted the mandatory cluster zoning requirements in 2007, and the subdivision was approved with a conventional layout that would no longer be permitted under the new cluster zoning standards. The Planning Board determined that owner would need to bring the application into compliance with the new cluster standards, or revoke the plat. The applicant has submitted a revised plan, with a cluster layout including 10 new lots, and 40 acres of land set aside as open space. The Commission discussed the new layout of the subdivision and suggested that the trail easement be replaced with a narrow strip of open space land, and also suggested the developer construct the trail through the open space.

e. Conservation projects – The Commission discussed recent land

conservation projects including the properties off of Oak Hill Road and Currier Road. R. Hebert explained that representatives from the City, Five Rivers Conservation Trust, and the Heritage Commission met to discuss options for the protection of Maplewood Farm off of Stickney Hill Road. The land includes approximately 80 acres located on both sides of Stickney Hill Road. T. Boisvert suggested reserving a larger area around the existing house from the conservation easement; this would give the owners more flexibility in the future. J. Owers moved to have the property appraised for the purchase of a conservation easement with a 4 acre area reserved for the existing house, barn, and out buildings. K. Tardiff seconded; all in favor; motion passed unanimously.

The group discussed possible names for the recently acquired property off of Currier Road. D. Woodward suggested naming the parcel the "Robinson/Frost Reservation."

4. City Council/Planning Board Action

- a. Conservation Commission reappointments – R. Hebert reported that the City Council has reappointed C. Kane, C. Morgan, and R. Chormann to another three year term, ending in December 2013.
- b. Resolution appropriating a sum of \$18,500 from a NHDRED Recreational Trails Program to assist in the development of a trail at Rossview Farm – R. Hebert reported that the City Council will be adopting the proposed resolution at their regular meeting in July.
- c. Budget Hearing – C. Morgan reported that the City Council has discussed the proposed Conservation Commission's budget and did not recommend any changes.
- d. Elgland property – D. Woodward reported that the City has closed on the Elgland property.

5. Reports:

- a. Upper Merrimack River Local Advisory Committee - Wild and Scenic River designation – The Commission discussed the status of the Wild and Scenic River designation. R. Chormann distributed a revised report to members by email. The group discussed the report, and decided to send any minor revisions or corrections to R. Chormann. Once the report is finalized, the Commission will submit it to the City Council for review. The question was raised as to whether or not rip-rap could be added to the river to protect the shore from erosion and if this effect the free-flowing designation.
- b. Trails Committee – R. Hebert reported the Trails Committee is working to establish trail access across a few properties that are not city-owned, and is working on a standard trail agreement. The group discussed options for the format of the trail agreement. R. Hebert will work with C. Kane to finalize the agreement.
- c. Contoocook and North Branch Rivers Local Advisory Committee – R. Hebert reported that the Commission does not currently have a representative on the CNBRLAC. The group discussed possible candidates and suggested posting a small add in the newspaper.
- d. Forestry – R. Hebert said that the timber salvage sales will begin next week at the Horse Hill lot, Winant Park, and the Penacook Lake watershed.

Meeting adjourned at 9:37 PM.

A TRUE RECORD ATTEST:
Rebecca W. Hebert
Planner, Secretary pro-tem